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**TREXLER, BUSHELL, GIANGIORGI, BLACKSTONE & MARR, LTD.**

OCT 31 2006

COUNSELORS AT LAW

THE CLARK ADAMS BUILDING

105 WEST ADAMS STREET, SUITE 3600

CHICAGO, ILLINOIS 60603-6210

(312) 704-1890

FOUNDED 1890

PATENT, TRADEMARK, COPYRIGHT  
AND RELATED MATTERS; ALL PHASES  
INCLUDING LICENSING AND LITIGATION

FAX: (312) 704-8023  
[www.trexlaw.com](http://www.trexlaw.com)

RICHARD R. TREXLER (1906-1995)  
RICHARD BUSHELL (1926-2004)  
RICHARD A. GIANGIORGI  
RAIFORD A. BLACKSTONE, JR.  
DAVID J. MARR  
LINDA L. PALOMAR  
JAMES R. FOLLY  
JAMES A. O'MALLEY  
TIMOTHY M. McCARTHY

**FACSIMILE TRANSMISSION**

TOTAL PAGES (Including Cover Page) 3 DATE: October 31, 2006

Commissioner of Patents and Trademarks  
TO: Examiner Lopez FROM: Raiford A. Blackstone, Jr., Reg. No. 25,156

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**NOTES:**

Inventor: Wixey and Makinson.  
For: BREATHING ASSISTANCE  
APPARATUS  
Art Unit: 3743  
Serial No.: 10/534,561  
Filed: September 22, 2005  
Attorney Ref.: 1171/42920/159-PCT

**CERTIFICATION OF FACSIMILE TRANSMISSION**

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Tiffany E. Lynch  
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OCT 31 2006

1171/42452/154-PCT-US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Wixey and Makinson )  
 Serial No.: 10/534,561 )  
 Filed: September 22, 2005 )  
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       APPARATUS )  
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CERTIFICATION OF FACSIMILE TRANSMISSION

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Tiffany E. Lynch

STATUS INQUIRY

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

Applicant, by and through its attorneys of record, respectfully requests a report as to the status of the above-noted application. This application was filed on May 9, 2005, and accorded a filing date of September 22, 2005 under 35 U.S.C. §371, and, as of the date of this letter, no Office Action has been received and there is no "First Action Prediction" listed on the Patent Office website for this matter. The purpose of this letter is to ensure that an Office Action has not been misdirected in the mail and, if no Office Action has been forwarded, Applicant requests

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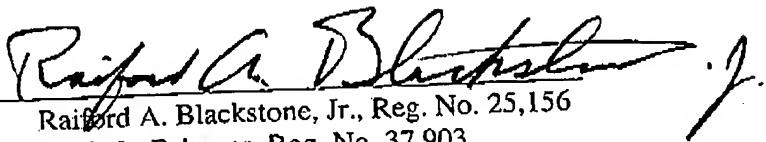
OCT 31 2006

an estimate as to when it might expect an Office Action in this matter.

Respectfully submitted,

Date: Oct. 31, 2006

By:



Raiford A. Blackstone, Jr., Reg. No. 25,156  
Linda L. Palomar, Reg. No. 37,903  
Attorneys for Applicant  
TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.  
105 West Adams Street, 36th Floor  
Chicago, Illinois 60603-6299  
Tel: (312) 704-1890

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